



Your Missouri Courts

Search for Cases by:
[Judicial Links](#) | [eFiling](#) | [Help](#) | [Contact Us](#) | [Print](#)
[GrantedPublicAccess](#) [Logoff THAYDE57368](#)
18SL-AC09124 - CHRISTOPHER BARBER V MEDICREDIT, INC. (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
-----------------------------	---	--------------------------------	--	-------------------------------------	-----------------------------	---	---------------------------------	---

This information is provided as a service and is not considered an official court record.

[Click here to eFile on Case](#)
Sort Date Entries: ☒ Descending

Display Options:

[Click here to Respond to Selected Documents](#)
☐ Ascending
04/19/2018 ☐ [Corporation Served](#)

Document ID - 18-ADSM-8199; Served To - MEDICREDIT, INC.; Server - ; Served Date - 13-APR-18; Served Time - 00:00:00; Service Type - Special Process Server; Reason Description - Served

☐ [Notice of Service](#)

Affidavit of Service.

Filed By: RICHARD ANTHONY VOYTAS Jr.

On Behalf Of: CHRISTOPHER BARBER

04/12/2018 ☐ [Summons Issued-Associate](#)

Document ID: 18-ADSM-8199, for MEDICREDIT, INC.. Summons Attached in PDF Form for Attorney to Retrieve from Secure Case.Net and Process for Service. Please DO NOT forward your summons to the St Louis County Sheriff Department unless within 3 days of the issue date printed on the summons. Failure to follow these instructions may result in your summons being returned.

☐ [Hearing Scheduled](#)

Scheduled For: 05/14/2018; 9:00 AM ; ELLEN W. DUNNE; St Louis County

04/03/2018 ☐ [Filing Info Sheet eFiling](#)

Filed By: RICHARD ANTHONY VOYTAS Jr.

☐ [Motion Special Process Server](#)

Motion to Appoint Special Process Server.

Filed By: RICHARD ANTHONY VOYTAS Jr.

On Behalf Of: CHRISTOPHER BARBER

☐ [Pet Filed in Associate Ct](#)

Petition.

☐ [Judge Assigned](#)

39M

EXHIBIT
A

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI
ASSOCIATE DIVISION**

CHRISTOPHER BARBER,

Plaintiff,

v.

MEDICREDIT INC.,

Serve at:
STK Registered Agent, Inc.
900 W. 48th Street Suite 900
Kansas City, MO 64112

Defendant.

Cause No

Division

JURY TRIAL DEMANDED

PETITION

COMES NOW Plaintiff and states as follows:

INTRODUCTION

1. This is an action for actual and statutory damages brought to the Court by an individual consumer for violations of the Fair Debt Collections Practices Act, 15 U.S.C. §1692 et seq. ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

2. Plaintiff demands a trial by jury on all issues so triable.

JURISDICTION

3. This Court has jurisdiction of the FDCPA claim under 15 U.S.C. § 1692k(d), as Defendant's collection activity was directed to Plaintiff at his residence in Missouri. Plaintiff

suffered the harms described herein in Missouri. Venue is also proper in St. Louis County, Missouri for this reason.

PARTIES

4. Plaintiff is a natural person currently residing in the City of St. Louis, Missouri. Plaintiff is a “consumer” within the meaning of the FDCPA.

5. The alleged debt Plaintiff owes arises out of consumer, family, and household transactions. Specifically, the alleged debt arose from medical services that Plaintiff received from St. Mary’s Hospital in St. Louis County, Missouri.

6. Plaintiff has a bona-fide dispute as to the amount of the debt. While Plaintiff received medical care from St. Mary’s Hospital, the balance being collected of \$250, to the best of Plaintiff’s understanding, is his copay that he paid at the time of service. As such, Plaintiff should not owe anything regarding the alleged debt.

7. Defendant Mediacredit, Inc. (“Mediacredit”) is a corporation with its principal place of business located in Missouri.

8. The principal business purpose of Mediacredit is the collection of debts nationwide and in Missouri; Mediacredit regularly attempts to collect debts alleged to be due to another entity.

9. Mediacredit is engaged in the collection of debts from consumers through means of using mail and telephone. Mediacredit is a “debt collector” as defined by the FDCPA. 15 U.S.C. §1692a(6).

FACTS

10. Mediacredit's collection activity, of which Plaintiff disputes, occurred within the previous twelve (12) months.

11. On March 9, 2018, Plaintiff received a collection letter from Mediacredit on the subject debt; the letter bore a date of March 1, 2018.

12. To the best of his recollection, this was the first time that Plaintiff had heard anything about the alleged debt since the date of the medical services in 2016.

13. The letter contained numerous false, misleading, and illegal statements.

14. For example, Mediacredit told Plaintiff that the hospital facility itself would, within 30 days of March 1:

- a. Report the debt to the credit bureaus; and
- b. Commence a civil action that would include garnishment of wages, seizing Plaintiff's bank account, and placing a lien on Plaintiff's property.

15. All of these statements were materially false and misleading; Mediacredit made these false and bombastic statements to threaten and intimidate Plaintiff into paying a balance that Mediacredit knew, or should have known, was not legitimate.

16. For example, the "facility" was not going to take any of those actions, ever.

17. Plaintiff checked his credit report at the thirty-day period set forth in the letter, and there was no such debt reported by the facility, by Defendant, or by anyone else. Thus, the threat of credit reporting was false.

18. Similarly, there was no civil action filed against Plaintiff.

19. The language in Defendant's letter about the civil action was false and misleading because it indicated to Plaintiff that the mere commencement of a civil suit would result in garnishment and other harsh penalties. In reality, Plaintiff always had the option of defending the suit.

20. The extraordinarily harsh threats in the collection letter caused Plaintiff to hire counsel and become indebted to counsel to defend the apparently imminent lawsuit.

21. Shortly after he had retained counsel, Plaintiff called Defendant to advise them of this fact and to express his disagreement with the debt in general.

22. This phone call took place on March 9, 2018--the date Plaintiff received the letter.

23. In a bizarre twist, Defendant denied ever sending the letter to Plaintiff. This was a false statement in connection with the collection of a debt.

24. Furthermore, Mediacredit caused Plaintiff to suffer the following additional injuries in fact:

- a. Plaintiff has been deprived of his statutorily created right to truthful information about the debt; Mediacredit misstated the amount of the debt and made it appear that the debt was going to be litigated and credit reported; and
- b. Mediacredit's harsh threats caused Plaintiff to suffer stress and anxiety.

25. The injuries, in fact, are fairly traceable to the challenged actions of Mediacredit, in that Mediacredit engaged in the telephone conversation with Plaintiff.

26. Plaintiff's injuries, in fact, are likely to be redressed by a favorable decision in this Court.

COUNT I: VIOLATION OF THE FDCPA

27. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

28. In its attempts to collect the alleged debt from Plaintiff, Medicredit committed violations of the FDCPA, see 15 U.S.C. §1692 et seq., including, but not limited to, the following:

a. Falsely representing the character, amount, or legal status of the alleged debt; specifically, by misrepresenting the amount of the debt Plaintiff owed, by mischaracterizing the actions that the creditor and/or Defendant could take on the debt, by mischaracterizing what occurs upon the filing of a civil action, and by making false threats of imminent litigation and credit reporting. See 15 U.S.C. §1692d-f; and

b. Engaging in unfair collection conduct designed to harass, oppress, and intimidate Plaintiff into paying the alleged debt. See 15 U.S.C. §1692d-f.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Medicredit for:

- A. Judgment that Medicredit's conduct violated the FDCPA;
- B. Actual damages in an amount to be determined by the jury;
- C. Statutory damages, costs, and reasonable attorney's fees pursuant to 15 U.S.C. §1692k; and
- D. For such other relief as the Court may deem just and proper.

Ross & Voytas, LLC

/s/ Richard A. Voytas, Jr.

Richard A. Voytas, Jr, #52046
rick@rossvoytas.com
Nathan E. Ross, #51166
nate@rossvoytas.com
Ethan W. Gee, #70075
ethan@rossvoytas.com
12444 Powerscourt Drive, Ste 370
St. Louis, MO 63131
Phone: (314) 394-0605
Fax: (636) 333-1212

Attorneys for Plaintiff

In the
CIRCUIT COURT
Of St. Louis County, Missouri



For File Stamp Only

CHRISTOPHER BARBER
 Plaintiff/Petitioner

April 3, 2018
 Date

vs.

MEDICREDIT, INC.
 Defendant/Respondent

Case Number

Division

REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now Plaintiff, pursuant

Requesting Party

to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of

HPS Process Service & Investigations, 1669 Jefferson St, Kansas City, MO 64108 T: (816) 842-9800

Name of Process Server Address Telephone

Name of Process Server Address or in the Alternative Telephone

Name of Process Server Address or in the Alternative Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE:

STK Registered Agent, Inc
 Name
900 W. 48th Street, Suite 900
 Address
Kansas City, MO 64112
 City/State/Zip

SERVE:

Name
 Address
 City/State/Zip

SERVE:

Name
 Address
 City/State/Zip

SERVE:

Name
 Address
 City/State/Zip

Appointed as requested:

JOAN M. GILMER, Circuit Clerk

By _____
 Deputy Clerk

Date

/s/ Richard A. Voytas, Jr.
 Signature of Attorney/Plaintiff/Petitioner
52046
 Bar No.
12444 Powerscourt Drive, Ste 370 St. Louis, MO 63131
 Address
(314) 394-0605 (636) 333-1212
 Phone No. Fax No.

In the
CIRCUIT COURT
Of St. Louis County, Missouri



For File Stamp Only

CHRISTOPHER BARBER
 Plaintiff/Petitioner

April 3, 2018
 Date

vs.

MEDICREDIT, INC.
 Defendant/Respondent

Case Number _____
 Division _____

REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now Plaintiff, pursuant

Requesting Party

to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of

HPS Process Service & Investigations, 1669 Jefferson St, Kansas City, MO 64108 T: (816) 842-9800
 Name of Process Server Address Telephone

Name of Process Server Address or in the Alternative Telephone

Name of Process Server Address or in the Alternative Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE:

STK Registered Agent, Inc
 Name
900 W. 48th Street, Suite 900
 Address
Kansas City, MO 64112
 City/State/Zip

SERVE:

Name _____
 Address _____
 City/State/Zip _____

SERVE:

Name _____
 Address _____
 City/State/Zip _____

SERVE:

Name _____
 Address _____
 City/State/Zip _____

Appointed as requested:

JOAN M. GILMER, Circuit Clerk

By /s/Andrea Kaid-Allen
 Deputy Clerk

04-12-2018
 Date

/s/ Richard A. Voytas, Jr.
 Signature of Attorney/Plaintiff/Petitioner
52046
 Bar No.
12444 Powerscourt Drive, Ste 370 St. Louis, MO 63131
 Address
(314) 394-0605 (636) 333-1212
 Phone No. Fax No.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: ELLEN W. DUNNE	Case Number: 18SL-AC09124
Plaintiff/Petitioner: CHRISTOPHER BARBER	Plaintiff's/Petitioner's Attorney/Address: RICHARD ANTHONY VOYTAS Jr. 12444 POWERS COURT DRIVE SUITE 370 ST LOUIS, MO 63131 (314) 394-0605
Defendant/Respondent: MEDICREDIT, INC.	Date, Time and Location of Court Appearance: 14-MAY-2018, 09:00 AM RM. 281 NORTH, DIV 39M ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: AC Other Tort	

(Date File Stamp)

Associate Division Summons

The State of Missouri to: MEDICREDIT, INC.

Alias:

STK REGISTERED AGENT, INC.
900 W. 48TH STREET, SUITE. 900
KANSAS CITY, MO 64112

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to Chapter 517 RSMo. Should you have any questions regarding responsive pleadings in this case, you should consult an attorney.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

04-12-2018

Date

Further Information:

AKA

Sheriff's or Server's Return

Note to serving officer: Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
- ☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$._____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: ELLEN W. DUNNE	Case Number: 18SL-AC09124
Plaintiff/Petitioner: CHRISTOPHER BARBER	Plaintiff's/Petitioner's Attorney/Address: RICHARD ANTHONY VOYTAS Jr. 12444 POWERS COURT DRIVE SUITE 370 ST LOUIS, MO 63131 (314) 394-0605
Defendant/Respondent: MEDICREDIT, INC.	Date, Time and Location of Court Appearance: 14-MAY-2018, 09:00 AM RM. 281 NORTH, DIV 39M ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: AC Other Tort	

(Date File Stamp)

Associate Division Summons

The State of Missouri to: MEDICREDIT, INC.

Alias:

STK REGISTERED AGENT, INC.
900 W. 48TH STREET, SUITE. 900
KANSAS CITY, MO 64112

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to Chapter 517 RSMo. Should you have any questions regarding responsive pleadings in this case, you should consult an attorney.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

04-12-2018

Date

Further Information:
AKA

Sheriff's or Server's Return

Note to serving officer: Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to Kim Sartain (name) Legal Administrative Assistant (title).
☐ other _____

Served at 900 W. 48th St. #900 Kansas City, Mo 64112 (address)

in Jackson (County/City of St. Louis), MO, on 4.13.18 (date) at 2:32 P.M. (time).

Nathaniel Scott

Printed Name of Sheriff or Server

M. F. P. P. S.
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on 4/16/18 (date).

(Seal)

My commission expires: 10/13/18

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



REBEKAH FLANERY
My Commission Expires
October 13, 2019
Clay County
Commission #15420953

AFFIDAVIT OF SERVICE

State of Missouri

County of Saint Louis

Circuit Court

Case Number: 18SL-AC09124 Court Date: 5/14/2018 9:00 am

Plaintiff/Petitioner:
CHRISTOPHER BARBER

vs.

Defendant/Respondent:
MEDICREDIT, INC.

Received by HPS Process Service & Investigations to be served on **Medicredit, Inc., c/o STK Registered Agent, Inc., 900 West 48th Street, Suite 900, Kansas City, MO 64112.**

I, **NATHANIEL SCOTT**, being duly sworn, depose and say that on the **13th day of April, 2018** at **2:32 pm**, I:

Served the within named with a true copy of the **Associate Division Summons and Petition** by leaving with **Kim Sartain, Legal Administrative Assistant** at **900 West 48th Street, Suite 900, Kansas City, MO 64112.**

I am over the age of eighteen, and have no interest in the above action.

Subscribed and Sworn to before me on the 16 day
of April, 2018, by the affiant who is
personally known to me.

NOTARY PUBLIC



REBEKAH FLANERY
My Commission Expires
October 13, 2019
Clay County
Commission #15420953

NATHANIEL SCOTT
Process Server

HPS Process Service & Investigations
www.hpsprocess.com
1669 Jefferson
Kansas City, MO 64108
(800) 796-9559

Our Job Serial Number: **HAT-2018006797**